

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 2727-01
BILL NO.: HB 1236
SUBJECT: Motor Vehicles; Repeat Drunk Driver License Plate
TYPE: Original
DATE: February 11, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Highway Fund	(\$152,872)	(\$142,585)	(\$142,585)
Total Estimated Net Effect on <u>All</u> State Funds	(\$152,872)	(\$142,585)	(\$142,585)

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Revenue (DOR)** assume this proposal requires the issuance of a special license plate bearing the words "CONVICTED REPEAT DRUNK DRIVER" to any person found to be a persistent offender or a prior offender on intoxication-related traffic offenses. As written, this proposal will have no impact on the Drivers License Bureau (DLB). The legislation does not provide for this information to be put a person's driver record.

The Motor Vehicle Bureau (MVB) used statistics obtained from the DLB driver record system. There were approximately 7,200 repeat alcohol offenders processed in the DLB for FY99. Not all persistent or prior offender information is contained on the driver record. The MVB assumes that 20%, or 1,440, of these offenders will own more than one vehicle and would have to have plates issued for each vehicle ($7,200 \times 20\% = 1,440$). The MVB would have to issue two sets of plates to the 1,440 owners. Therefore, there would be 8,640 applications for special license plates ($7,200 + 1,440 = 8,640$). This proposal only requires a prior offender to use these plates for a period of three months after reinstatement of their driving privilege and a persistent offender to use these plates for a period of one year after reinstatement of their driving privilege. Therefore, at the end of both of the time periods of requirement for the special license plates it is assumed that the DOR would have to issue a regular set of plates to these same individuals.

The MVB will need one (1) Clerk Typist II for 864 hours of overtime to process the applications for a "CONVICTED REPEAT DRUNK DRIVER" license plates and the applications for "regular" licenses plates, for a total cost of \$10,109 in FY01 and \$12,122 in FY02 and 03.

The MVB will incur expenses in the amount of \$33,750 for programming changes to the FASTR system. RSI, Inc., the current FASTR contractor, has indicated it will take approximately 225 hours to make the necessary changes to FASTR to implement this proposal ($\$150 \times 225 = \$33,750$).

The MVB will also incur expenses for forms, policies, procedures, plates and tabs of \$43,637 and \$65,376 in FY01, respectively, and \$52,012 and \$78,451 in FY 02 and 03, respectively.

REVENUE IMPACT

The proposal indicates that upon payment of registration fees the department shall issue these plates. The MVB assumes that the person would have already paid his/her registration fees at the time of registering the vehicle and would not be required to pay another registration fee. Likewise, this proposal does not provide for an additional fee when the "Convicted Repeat Drunk Driver" time requirement is completed and "regular" plates are applied for and issued.

ASSUMPTION (continued)

Therefore, DOR will not recoup the costs incurred for plates and tabs of \$65,376 in FY 01 or \$78,451 in FY 02 and 03.

Officials from the **Department of Transportation** concur with the Department of Revenue's response to this legislation.

Officials of the **Office of the State Courts Administrator** anticipates substantial compliance with the provisions of the proposal and therefore do not anticipate a significant impact on the workload of the courts.

Officials from the **Secretary of State (SOS)** assume this proposal would result in rules and regulations to be published in the *Code of State Regulations* and the *Missouri Register*. Estimated costs for printing additional pages would be \$361.50 in FY01. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded or withdrawn. **Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials of the **Office of Prosecution Services** assume this proposal would have no fiscal impact to their agency.

Officials of the **Office of State Public Defender (SPD)** assumes that existing staff could provide representation for those 25-50 cases where indigent persons were charged with prior or persistent drunk driving and now desire to have a trial rather than plea. However, passage of more than one similar bill would require the SPD to request increased appropriations to cover cumulative costs of representing the indigent accused in the additional cases.

Officials of the **Department of Corrections (DOC)** assume the fiscal impact of this proposal would be \$0 or very minimal. Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court. If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational costs either through incarceration (average of \$35.61 per inmate, per day) or through supervision provided by the Board of Probation and Parole (average of \$2.47 per offender, per day).

ASSUMPTION (continued)

The following factors contribute to DOC's minimal assumption:

- ▶ DOC assumes the narrow scope of the crime will not encompass a large number of offenders
- ▶ the low felony status of the crime enhances the possibility of plea-bargaining or imposition of a probation sentence
- ▶ the probability exists that offenders would be charged with a similar but more serious offense

Supervision by the DOC through probation or incarceration would result in some additional costs, but it is assumed that the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
HIGHWAY FUND			
<u>Cost - Department of Revenue(DOR)</u>			
Overtime Pay - Clerk Typist II	(\$10,109)	(\$12,122)	(\$12,122)
FASTR Programming	(33,750)		
Plates & Tabs	(65,376)	(78,451)	(78,451)
Forms and Postage Costs	<u>(43,637)</u>	<u>(52,012)</u>	<u>(52,012)</u>
Total <u>Costs</u> - DOR	(\$152,872)	(\$142,585)	(\$142,585)
ESTIMATED NET EFFECT ON HIGHWAY FUND	<u>(\$152,872)</u>	<u>(\$142,585)</u>	<u>(\$142,585)</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

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DESCRIPTION

This proposal requires the Department of Revenue to issue persistent drunk driving offenders license plates that bear the words "CONVICTED REPEAT DRUNK DRIVER" in bright orange. Prior offenders are required to carry the convicted repeat drunk driver license plate on their vehicles for 3 months after reinstatement of driving privileges, and failure to do so is a class A misdemeanor. Persistent offenders are required to carry the license plate on their vehicles for one year after reinstatement of driving privileges, and failure to do so is a class D felony. This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Revenue
Department of Transportation
Office of State Courts Administrator
Office of Prosecution Services
State Public Defender
Secretary of State
Department of Corrections



Jeanne Jarrett, CPA
Director
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